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UNITED STATES DISTRICT COURT  
for the  
Western District of Missouri



Ix Kelem Lum'a, Innocent Petitioner,

)  
) CIVIL CLAIM  
)

) Demand for Jury Trial  
)

v.

) 4:20-cv-00996-SRB  
)

CASS COUNTY PUBLIC WATER SUPPLY. )

PETITIONER'S BRIEF

Innocent Petitioner – Ix Kelem Lum'a ex Rel. Kimberly C. Hose  
Aboriginal American Indian  
204 S. Lyne Ave  
Raymore, Missouri [64083]  
816-769-6891  
anaa.ixkelemluma@protonmail.com

## INTRODUCTION

I, Ix Kelem Lum'a ex Rel. Kimberly C. Hose present this claim in District Court pursuant to Title 15 U.S.C. § 1692k(d) and invoke my role as administrator pursuant to Title 15 U.S.C. § 1692c(d):

I am an aboriginal American Indian Not Taxed.(exhibit A) I am **not** a United States Citizen. American aborigines are forced into commerce. Therefore, pursuant to Title 15 USC § 1692a(3), I am a Consumer. Pursuant to Title 15 USC § 1692a(4), numerous treaties and my ancestry and heritage, I am an original creditor. I am asserting rights via laws created by Congress to protect me from abusive debt collection practices. Pursuant to Title 15 USC § 1692a(6), CASS COUNTY WATER SUPPLY is a debt collector.

## SUMMARY

When signing up for services, CASS COUNTY WATER SUPPLY provided a deceptive form in violation of 15 U.S. Code § 1692j. Innocent Petitioner sent an affidavit to the defendant demanding that the defendant cease and desist all attempts to collect the disputed alleged debt, validate the alleged debt, provide all documentary evidence related to the alleged debt and provide the name and address of the original creditor related to the account.(exhibit B) The defendant did not respond to the affidavit. While the alleged debt was being

53   disputed, the defendant acting as a debt collector, continued to attempt to collect  
54   the alleged debt in clear violation of Title 15 U.S.C. § 1692c(c)1. Said  
55   communication was sent by post card in violation of Title 15 U.S.C. § 1692f(7).  
56   (exhibit C)The debt collector never responded to the affidavit and never responded  
57   to the request for validation of the debt, the name and address of the original  
58   creditor, or documentary evidence.

59           CASS COUNTY WATER SUPPLY regularly sends bills which falsely  
60   represent the character, amount, and legal status of the alleged debt in violation of  
61   Title 15 U.S.C. § 1692e(2)(a).

62           After no response within 30 days of the receipt of the lawful dispute of the  
63   debt, Innocent Petitioner sent an affidavit of non-compliance to the defendant.  
64   (exhibit D) The defendant, CASS COUNTY PUBLIC WATER SUPPLY, then  
65   conspired with DIKELAND SEWER DISTRICT to have the water service  
66   stopped, which would result in the interference of sewer service. (exhibit E) This  
67   unlawful and harassing action is in direct violation of Title 15 U.S.C. § 1692e(5)  
68   and Title 15 U.S.C. § 1692d.

69           At no time has defendant CASS COUNTY PUBLIC WATER SUPPLY  
70   notified Consumer that they are a debt collector. This false representation of CASS  
71   COUNTY PUBLIC WATER SUPPLY is in violation of 15 U.S.C. § 1692e(10)

72 and 15 U.S.C. § 1692e(11). This false representation has been used by the  
73 defendant to continue collecting the alleged debt.

## 74 ARGUMENT

75 Defendant created deceptive form in violation of Title 15 U.S.C. § 1692j to  
76 create a false belief that “payments” from Consumer are required. Instead of  
77 collecting the information necessary to gain access to the Consumer’s credit  
78 through the Department of Treasury to lawfully discharge the debt, CASS  
79 COUNTY PUBLIC WATER SUPPLY created a deceptive form and used  
80 deceptive practices including oppressive tactics (disconnecting water service),  
81 threats, duress, and coercion to compel Innocent Petition to “pay” when “payment”  
82 is not required. When these rights were expressed to the defendant, they  
83 unlawfully discontinued service leaving the Consumer without water. The  
84 defendant maintains access to the Consumer’s credit and unlawfully stopped  
85 providing service. Innocent Petitioner sent defendant an affidavit of “NOTICE OF  
86 NON-COMPLIANCE” via USPS Certified mailing number 7020 0640 0000 0824  
87 4524.

## 88 CONCLUSION

89 Defendant’s non-compliant actions were intentional and egregious. Innocent  
90 Petitioner requests remedy in the form of services restored immediately and

pursuant to Title 15 U.S.C. § 1692h all payments shall be returned immediately  
and damages in the amount of \$5,000 and reasonable attorney's fees.

Note that violations of Title 15 U.S.C. § 1692e(3) shall be challenged  
directly. The defendant defaulted when defendant CASS COUNTY PUBLIC  
WATER SUPPLY refused to respond to the affidavit.

December 17, 2020

Submitted by:

A handwritten signature in black ink, appearing to read 'Ix Kelem Lum'a', is written over a horizontal line. The signature is stylized with a large, sweeping 'L' and 'a'.

Ix Kelem Lum'a ex Rel. Kimberly C. Hose

Certificate of Service:

Notice of Federal District Court Case sent to  
CASS COUNTY PUBLIC WATER SUPPLY via  
USPS Certified Mail Number: 7020 0640 0000 0824 4586